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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CHRIS SMITH, CHERYL SMITH, KAREN
 SMITHSON, FRANK ORTEGA, ALBERTO
 CORNEA, MICHELLE ROGERS, DEBORAH
 CLASS, AMBER JONES, ALEXIS KEISER,
 LOORN SAELEE, THOMAS PEAR, and
 TANNAISHA SMALLWOOD individually and
 on behalf of all other similarly situated
 individuals,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 4:21-cv-09527 HSG

**JOINT SUBMISSION OF
 PROPOSED STIPULATED
 FINAL JUDGMENT PURSUANT
 TO MAY 1, 2025 COURT ORDER
 (DKT NO. 178)**

Dept.: Courtroom 2 – 4th Floor
 Judge: Hon. Haywood S. Gilliam, Jr.

CLASS ACTION

Third Amended Complaint Filed:
 October 31, 2023

PROPOSED FINAL JUDGMENT

For the reasons set forth in this Court’s Final Approval Order (Dkt. No. 178), in the above-captioned matter as to the following class of persons:

All natural persons who reside in the United States, who own or owned any model First Generation, Series 1, Series 2 or Series 3 Apple Watch for personal and/or household use, and who are reflected in Apple’s records as having reported Covered Issues in the United States. The Class Period shall be April 24, 2015, to February 6, 2024.

The Settlement Class excludes Apple; any entity in which Apple has a controlling interest; Apple’s directors, officers, and employees; Apple’s legal representatives, successors, and assigns. Also excluded from the Settlement Class are all judicial officers assigned to this case as well as their staff and immediate families.

JUDGMENT IS HEREBY ENTERED, pursuant to Federal Rule of Civil Procedure 58, as to the above-specified class of persons and entities, Plaintiffs Chris Smith, Cheryl Smith, Karen Smithson, Frank Ortega, Alberto Cornea, Michelle Rogers, Deborah Class, Amber Jones, Alexis Keiser, Loorn Salee, Thomas Pear, and Tannaisha Smallwood (collectively “Plaintiffs” or “Class Representatives”) and Defendant Apple Inc. (“Apple”) on the terms and conditions of the Settlement Agreement and Release (the “Settlement Agreement”) approved by the Court’s Final Approval Order, dated May 1, 2025 (Dkt. No. 178).

1. The Court, for purposes of this Final Judgment, adopts the terms and definitions set forth in the Settlement Agreement (Dkt. No. 169-1) incorporated into the Final Approval Order (Dkt. No. 178).

2. All Released Matters of the Releasing Parties are hereby released as against the Apple Released Parties, as defined in the Settlement Agreement.

3. The claims of Plaintiffs and the Settlement Class Members are dismissed with prejudice in accordance with the Court’s Final Approval Order.

4. The Parties shall bear their own costs and attorneys’ fees, except as set forth in the Settlement Agreement or otherwise set forth in the Final Approval Order or any Order regarding

1 Plaintiffs' request for attorneys' fees, expenses, and service awards.

2 5. This document constitutes a final judgment and separate document for purposes of
3 Federal Rule of Civil Procedure 58(a).

4 6. The Court finds, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure,
5 that this Final Judgment should be entered and that there is no just reason for delay in the entry of
6 this Final Judgment as to Plaintiffs, the Settlement Class Members, and Apple. Accordingly, the
7 Clerk is hereby directed to enter Judgment forthwith.

8 IT IS SO ORDERED.

9 JUDGMENT ENTERED this _____ day of _____, _____.

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Hon. Haywood S. Gilliam, Jr.
United States District Judge
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1 Dated: May 5, 2025

CUNNINGHAM BOUNDS, LLC

2 By: /s/ Lucy E. Tufts
3 LUCY E. TUFTS (*admitted pro hac vice*)

4 Attorneys for Plaintiffs and the Settlement Class

5 Dated: May 5, 2025

MORRISON & FOERSTER LLP

6 By: /s/ Brittany Scheinok
7 BRITTANY SCHEINOK

8 Attorneys for Defendant
9 APPLE INC.

ECF ATTESTATION

I, Lucy E. Tufts, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I attest that Brittany L. Scheinok has concurred to this filing.

Dated: May 5, 2025

CUNNINGHAM BOUNDS, LLC

By: /s/ Lucy E. Tufts
Lucy E. Tufts

Attorneys for Plaintiffs